

01
02
03
04
05
06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09
10
11
12 UNITED STATES OF AMERICA,) CASE NO. CR02-047-TSZ
13)
14 Plaintiff,)
15)
16 v.) SUMMARY REPORT OF U.S.
17) MAGISTRATE JUDGE AS TO
18 JOHN J. PIRUN,) ALLEGED VIOLATIONS
19) OF SUPERVISED RELEASE
20)
21 Defendant.)
22

23
24 A hearing on supervised release revocation in this case was scheduled before me on
25 December 23, 2008. The United States was represented by AUSA Doug Whalley and the
26 defendant by Terrence Kellogg. The proceedings were digitally recorded.

27 Defendant had been sentenced on or about November 14, 2003 by the Honorable Thomas
28 S. Zilly on a charge of Conspiracy to Distribute Cocaine, and sentenced to 43 months custody,
29 5 years supervised release. (Dkt. 82.)

30 The conditions of supervised release included the standard conditions plus the requirements
31 that defendant be prohibited from possessing a firearm, submit to mandatory drug testing,
32 participate in substance abuse treatment and testing, submit to search, provide access to financial

33
34 SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
35 TO ALLEGED VIOLATIONS OF SUPERVISED RELEASE
36 PAGE -1

01 information, not be self-employed or employed by friends, not work for cash, get approval for all
02 employment, and not possess any false identification documents.

03 In an application dated November 9, 2005 (Dkt. 85), U.S. Probation Officer Brian H.
04 Rogers alleged the following violation of the conditions of supervised release:

05 1. Leaving the judicial district without permission of the Court or probation officer
06 on or about October 31, 2005, in violation of standard condition #1. Defendant was arrested in
07 the North District of California and transferred to this District. (Dkt. 87.)

08 Defendant was advised in full as to those charges and as to his constitutional rights.

09 Defendant admitted the alleged violation and waived any evidentiary hearing as to whether
10 it occurred. (Dkt. 92.)

11 I therefore recommend the Court find defendant violated his supervised release as alleged,
12 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
13 set before Judge Zilly.

14 Pending a final determination by the Court, defendant has been detained.

15 DATED this 23rd day of December, 2008.

16
17 
18 Mary Alice Theiler
United States Magistrate Judge

19 cc: District Judge: Honorable Thomas S. Zilly
AUSA: Doug Whalley
20 Defendant's attorney: Terrence Kellogg
Probation officer: Brian H. Rogers
21
22